# GOVERNMENT OF INDIA
# COMMERCE AND INDUSTRY
# LOK SABHA

UNSTARRED QUESTION NO:1161
ANSWERED ON:25.07.2016
Patent of Ayurvedic Medicines
Nishank Dr. Ramesh Pokhriyal

**Will the Minister of COMMERCE AND INDUSTRY be pleased to state:**

(a) whether the Government has formulated any action plan to patent traditional Ayurvedic Medicines;

(b) if so, names of the products/ Ayurvedic Medicines Patented by the Government;

(c) the details of the Herbs or products which have been granted patents by the Government; and

(d) the steps taken by the Government to promote research in Ayurveda and to encourage scientists to get products patented?

## Answer

???????? ??? ?????? ??????????? (????????? ??????)(??????? ??????? ???????)
THE MINISTER OF STATE (INDEPENDENT CHARGE)
OF THE MINISTRY OF COMMERCE & INDUSTRY
(SHRIMATI NIRMALA SITHARAMAN)

(a) to (c): Traditional Ayurvedic medicines are not patentable in view of the provisions of Section 3(p) of the Patent Act, 1970 ('the Act'). This section provides that an invention which, in effect, is traditional knowledge or which is an aggregation or duplication of known properties of traditionally known component or components is not an invention within the meaning of the Act.

Herbs, as such, also cannot be patented in view of provisions of section 3(j) of the Act. This section provides that plants and animals in whole, or any part thereof, other than micro-organisms but including seeds, varieties and species and essentially biological processes for production or propagation of plants and animals are not inventions within the meaning of the Act.

However, patents can be granted to formulations based on products related to Ayurvedic / Herbal-based inventions, or processes related thereto, which fulfill the criteria of patentability as per the Act. Details of patents granted to formulations/processes related to products of herbs/plants are given at Annexure-I.

(d) : The Ministry of AYUSH has set up 'Central Council for Research in Ayurvedic Sciences' (CCRAS), an apex body for the formulation, co-ordination, development and promotion of research on scientific lines in Ayurveda. At present in CCRAS, there is no specific scheme to award or encourage their Scientists for getting products patented. However, all the concerned Researchers are given due credit in the matter of Patent filing and Publication for new innovations in Ayurvedic Medicines.
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